

STATEMENT OF FACTS

Your affiant, [REDACTED], is a Special Agent assigned to the Jefferson City Resident Agency of the Kansas City Division of the Federal Bureau of Investigation. In my duties as a Special Agent, I investigate criminal activity in violation of Federal law, International Terrorism and Domestic Terrorism. Currently, I am tasked with investigating criminal activity in and around the U.S. Capitol grounds on January 6, 2021. As a Special Agent, I am authorized by law or by a Government agency to engage in or supervise the prevention, detection, investigation, or prosecution of a violation of Federal criminal laws.

The U.S. Capitol is secured 24 hours a day by U.S. Capitol Police. Restrictions around the U.S. Capitol include permanent and temporary security barriers and posts manned by U.S. Capitol Police. Only authorized people with appropriate identification were allowed access inside the U.S. Capitol. On January 6, 2021, the exterior plaza of the U.S. Capitol was also closed to members of the public.

On January 6, 2021, a joint session of the United States Congress convened at the United States Capitol, which is located at First Street, SE, in Washington, D.C. During the joint session, elected members of the United States House of Representatives and the United States Senate were meeting in separate chambers of the United States Capitol to certify the vote count of the Electoral College of the 2020 Presidential Election, which had taken place on November 3, 2020. The joint session began at approximately 1:00 p.m. Shortly thereafter, by approximately 1:30 p.m., the House and Senate adjourned to separate chambers to resolve a particular objection. Vice President Mike Pence was present and presiding, first in the joint session, and then in the Senate chamber.

As the proceedings continued in both the House and the Senate, and with Vice President Mike Pence present and presiding over the Senate, a large crowd gathered outside the U.S. Capitol. As noted above, temporary and permanent barricades were in place around the exterior of the U.S. Capitol building, and U.S. Capitol Police were present and attempting to keep the crowd away from the Capitol building and the proceedings underway inside.

At such time, the certification proceedings were still underway and the exterior doors and windows of the U.S. Capitol were locked or otherwise secured. Members of the U.S. Capitol Police attempted to maintain order and keep the crowd from entering the Capitol; however, around 2:00 p.m., individuals in the crowd forced entry into the U.S. Capitol, including by breaking windows and by assaulting members of the U.S. Capitol Police, as others in the crowd encouraged and assisted those acts.

Shortly thereafter, at approximately 2:20 p.m. members of the United States House of Representatives and United States Senate, including the President of the Senate, Vice President Mike Pence, were instructed to—and did—evacuate the chambers. Accordingly, the joint session of the United States Congress was effectively suspended until shortly after 8:00 p.m. Vice President Pence remained in the United States Capitol from the time he was evacuated from the Senate Chamber until the sessions resumed.

During national news coverage of the aforementioned events, video footage which appeared to be captured on mobile devices of persons present on the scene depicted evidence of violations of local and federal law, including scores of individuals inside the U.S. Capitol building without authority to be there.

Evidence Linking BRIAN SCOTT MCGEE to the U.S. Capitol on January 6

According to records obtained through a search warrant served on Google, a mobile device attributed to Google accounts associated with BRIAN SCOTT MCGEE was present at the U.S. Capitol on January 6, 2021.¹ According to Google, the device was inside the U.S. Capitol on January 6, 2021 from 2:24:06 PM until 2:28:05 PM.

Further, pursuant to an authorized search warrant, law enforcement obtained records from AT&T for cell towers providing service to the U.S. Capitol. Cellular telephone number (XXX) XXX-████, previously attributed to MCGEE as a result of the abovementioned Google search warrant, was identified within the restricted area of the U.S. Capitol on January 6, 2021. More specifically, the device bearing the number attributed to MCGEE was identified as having utilized a cell site consistent with providing service to the geographic area that includes the interior of the U.S. Capitol building in and around the time of the incident.

Your affiant obtained a copy of MCGEE's driver's license photo and compared it to Capitol CCTV video and still images. MCGEE was identified by your affiant on U.S. Capitol video surveillance entering the U.S. Capitol building through the Senate Wing Doors located on the northwest side of the building. MCGEE was inside the building for approximately one minute and fifty-one seconds beginning at approximately 2:24 p.m. MCGEE spoke with one other individual, later identified as JEREMY CHRISTIAN HARRISON, while inside the building but conducted no other activities. MCGEE departed the U.S. Capitol through the same door that he entered.

On October 27, 2021, your affiant interviewed Witness 1 of the Missouri National Guard (MONG). Witness 1 is one of MCGEE'S former supervisors while MCGEE was in the MONG and is therefore personally familiar with MCGEE. Witness 1 was shown U.S. Capitol CCTV surveillance images taken during the riot that occurred there on January 06, 2021. Witness 1 looked at the images and identified MCGEE as the person in them.

On October 28, 2021, your affiant interviewed Witness 2 of the Columbia Regional Airport Safety Department. Witness 2 is personally familiar with MCGEE because MCGEE occasionally works at the Columbia Regional Airport. Witness 2 was shown U.S. Capitol CCTV surveillance

¹ Google estimates device location using sources including GPS data and information about nearby Wi-Fi access points and Bluetooth beacons. This location data varies in its accuracy, depending on the source(s) of the data. As a result, Google assigns a "maps display radius" for each location data point. Thus, where Google estimates that its location data is accurate to within 10 meters, Google assigns a "maps display radius" of 10 meters to the location data point. Finally, Google reports that its "maps display radius" reflects the actual location of the covered device approximately 68% of the time.

video and images taken during the riot that occurred there on January 06, 2021. Witness 2 looked at the video and images and identified MCGEE as the person in them.

On October 28, 2021, your affiant interviewed Witness 3, who is MCGEE's former supervisor at the Federal Aviation Administration Tech Operations Office. Witness 3 was shown U.S. Capitol CCTV surveillance video and images taken during the riot that occurred there on January 06, 2021. Witness 3 looked at the video and images and identified MCGEE as the person in them.

On August 04, 2021, MCGEE was contacted by telephone at telephone number (XXX) XXX-XXXX in order to schedule an in-person interview. MCGEE advised that he was out of state and would not be back for several days. MCGEE was questioned regarding his entry into the U.S. Capitol on January 6, 2021. MCGEE travelled to Washington D.C. to attend the "Stop the Steal" rally. MCGEE was initially going to bring a large American flag to the rally but brought a smaller flag so that he would not disrupt any of the other rally attendees. MCGEE said that he heard people in the crowd saying that U.S. Capitol police officers were allowing people to enter the U. S. Capitol building. MCGEE further claimed that he observed four or five U.S. Capitol police officers wearing riot gear gesture for people to enter the U.S. Capitol and fist bumping them as they walked by. MCGEE observed these police officers from a distance of approximately twenty feet or so but MCGEE did not interact directly with them. A review of Capitol CCTV in the area where MCGEE entered the Capitol does not corroborate MCGEE's statement that police waved rioters into the building and fist-bumped them as they entered.

On February 14, 2022, MCGEE was interviewed by your affiant and shown still photos taken from U.S. Capitol surveillance video. MCGEE identified himself, wearing a red hat and having a small U.S. flag, as one of the individuals in the surveillance video that unlawfully entered the Capitol. McGee subsequently provided the clothing that he was wearing on January 06, 2021, to his attorney who allowed your affiant to photograph it.

Below are screen captures from U.S. Capitol surveillance video of MCGEE'S entry into the U.S. Capitol on January 6, 2021.





Evidence linking JEREMY CHRISTIAN HARRISON to the U.S. Capitol on January 6

In his February 14, 2022, interview, MCGEE stated he had entered the Capitol with “Jeremy” and “[REDACTED].” At the time of the interview, MCGEE was unaware of Jeremy and [REDACTED]’s last names but indicated that he had originally met them on-line and knew that they were from Florida.

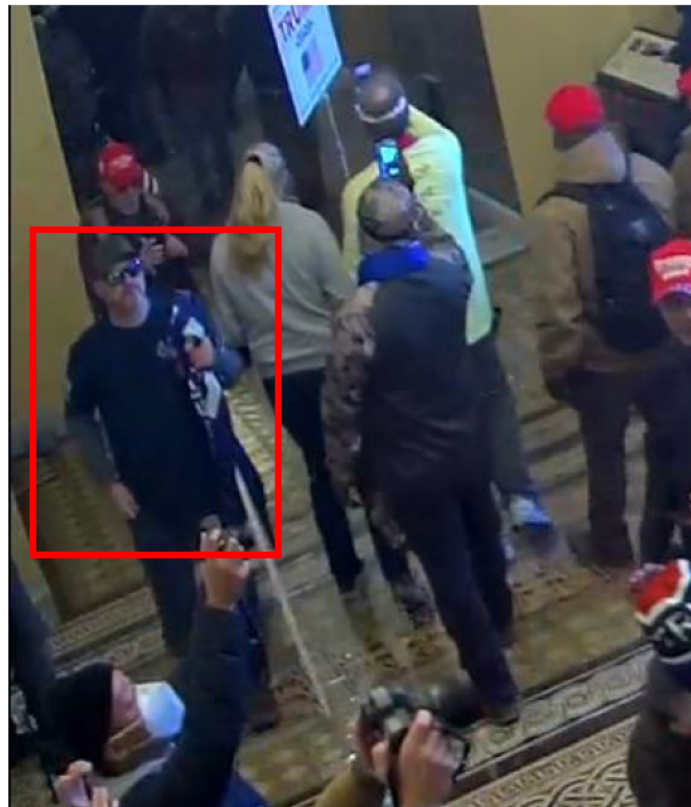
FBI Kansas City reviewed call detail records that were obtained by legal process for telephone number XXX-XXX-[REDACTED] which was attributed to MCGEE. On January 6, 2021 telephone number XXX-XXX-[REDACTED] connected approximately four times with telephone number XXX-XXX-[REDACTED]. Based on a database search, telephone number XXX-XXX-[REDACTED] was attributed to [REDACTED]. HARRISON and [REDACTED] live in Hernando, Florida.

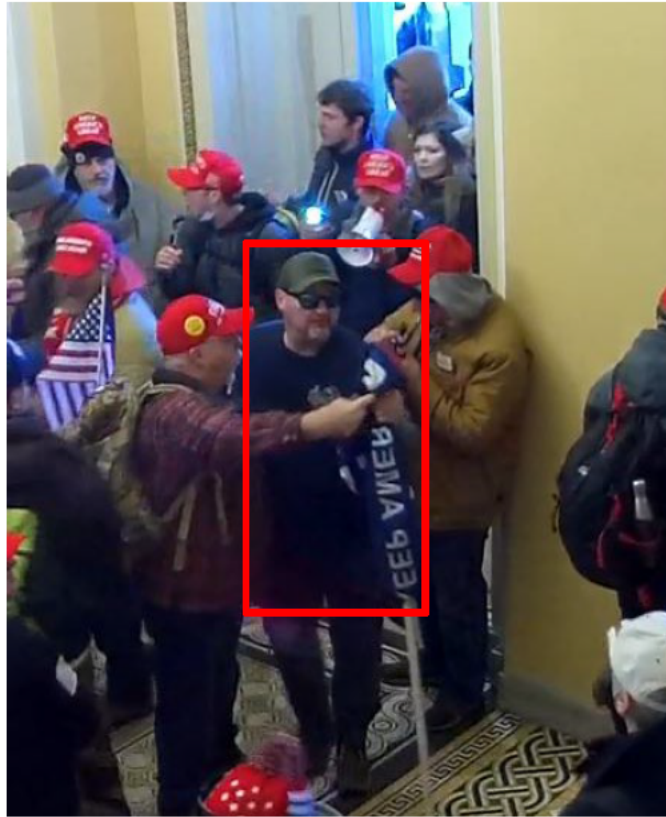
FBI Jacksonville/Ocala Resident Agency located and conducted an interview with JEREMY CHRISTIAN HARRISON on June 30, 2022. Jeremy stated that he and [REDACTED] met with MCGEE at the Crystal City Marriott in Washington, D.C. HARRISON admitted to entering the U.S. Capitol on January 6, 2021. HARRISON was shown still photographs taken from the U.S. Capitol surveillance video and identified himself in the photographs wearing a dark blue t-shirt. HARRISON further stated that, before he entered the Capitol building, he saw a person in tactical gear whom he believed to be law enforcement, though he did not recall seeing insignia or a badge, directing people inside the building. Once he entered the building, HARRISON recalled seeing police inside the building appearing to block off one area but allowing people to continue to another area. HARRISON stated that he thought it was “ok” to be inside the Capitol building at first, but then noticed the “chaos” and heard people screaming and therefore decided to leave the building.

██████████ was also interviewed. ██████ stated that ██████ was with MCGEE and HARRISON on the grounds of the Capitol on January 6, 2021, but that ██████ did not enter the Capitol building with them. ██████ was shown the screenshots below from U.S. Capitol CCTV surveillance video and ██████ positively identified HARRISON in those images.

On August 4, 2022, HARRISON met with FBI Jacksonville agents and provided the dark blue t-shirt as evidence.

Below are screen captures from U.S. Capitol surveillance video of HARRISON's entry into the U.S. Capitol on January 6, 2021. MCGEE is also visible in these images.



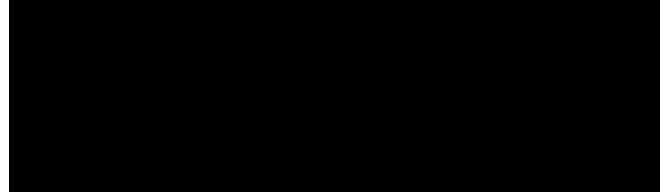


FBI Jacksonville agents, having met with HARRISON in person, have identified the person highlighted in red boxes in the images above as JEREMY CHRISTIAN HARRISON.

Based on the foregoing, your affiant submits that there is probable cause to believe that BRIAN SCOTT MCGEE and JEREMY CHRISTIAN HARRISON violated 18 U.S.C. § 1752(a)(1) and (2), which makes it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do; and (2) knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions, engage in disorderly or disruptive conduct in, or within such proximity to, any restricted building or grounds when, or so that, such conduct, in fact, impedes or disrupts the orderly conduct of Government business or official functions; or attempts or conspires to do so. For purposes of Section 1752 of Title 18, a “restricted building” includes a posted, cordoned off, or otherwise restricted area of a building or grounds where the President or other person protected by the Secret Service, including the Vice President, is or will be temporarily visiting; or any building or grounds so restricted in conjunction with an event designated as a special event of national significance.

Your affiant submits there is also probable cause to believe that BRIAN SCOTT MCGEE and JEREMY CHRISTIAN HARRISON violated 40 U.S.C. § 5104(e)(2)(D) and (G), which make it a crime to willfully and knowingly (D) utter loud, threatening, or abusive language, or engage in disorderly or disruptive conduct, at any place in the Grounds or in any of the Capitol Buildings with the intent to impede, disrupt, or disturb the orderly conduct of a session of Congress or either House of Congress, or the orderly conduct in that building of a hearing before, or any deliberations

of, a committee of Congress or either House of Congress; and (G) parade, demonstrate, or picket in any of the Capitol Buildings.



Special Agent
Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 8th day of February 2023.

ROBIN M. MERIWEATHER
U.S. MAGISTRATE JUDGE